

## BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	<b>ORDER OF SUSPENSION</b>
	)	
Patricia A. Cartwright,	)	<b>(BREACH OF CONTRACT)</b>
	)	
<u>Certificate 219941</u>	)	

### SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 8, 2016. On September 30, 2016, the South Carolina Department of Education (SCDE) served Patricia A. Cartwright with notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Cartwright received the notice on October 5, 2016, as evidenced by a signed postal receipt bearing her signature. Ms. Cartwright contacted the SCDE Office of General Counsel on October 11, 2016, and stated she was not requesting a hearing in this matter. After considering the evidence presented, the State Board voted to suspend Ms. Cartwright's educator certificate for a period of one year, commencing on November 8, 2016, and ending on November 7, 2017.

### FINDINGS OF FACT

This case concerns a formal complaint by School District Five of Anderson County (District) recommending the suspension of the educator certificate of Patricia A. Cartwright for breach of contract. The State Board has jurisdiction in this matter, pursuant to S.C. Code Ann. § 59-25-150 (Rev. 2004) and S.C. Code Ann § 59-25-530 (Rev. 2004).

Ms. Cartwright holds a South Carolina educator certificate and has twenty years of teaching experience. Ms. Cartwright signed a Contractual Agreement with the District to serve as a special education teacher for the 2016-2017 school year. On August 24, 2016, Ms. Cartwright informed the District that she was submitting her resignation to take care of her elderly mother. The District did not accept her resignation. Ms. Cartwright did not receive school board approval to be released from her contract in accordance with District policy GCQC/GCQD. The District informed Ms. Cartwright that a formal complaint would be filed with the State Board. On

September 22, 2016, the District reported this matter to SCDE, requesting that the State Board take disciplinary action on Ms. Cartwright's educator certificate.

On September 30, 2016, the SCDE served Ms. Cartwright with notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate, by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Cartwright received the notice on October 5, 2016, as evidenced by a signed postal receipt bearing her signature. Ms. Cartwright contacted the SCDE Office of General Counsel on October 11, 2016, and stated she was not requesting a hearing on this matter. After considering the evidence presented, the State Board voted to suspend Ms. Cartwright's educator certificate for a period of one year, commencing on November 8, 2016, and ending on November 7, 2017.

### **CONCLUSIONS OF LAW**

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (Rev. 2004). Just cause includes, *inter alia*, "willful violation of the rules and regulations of the State Board of Education" and "unprofessional conduct." S.C. Code Ann. § 59-25-160 (3) and (4) (Rev. 2004). Pursuant to S.C. Code Ann. § 59-25-530 (Rev. 2004), "any teacher who fails to comply with the provisions of his contract without the written consent of the school board shall be deemed guilty of unprofessional conduct." 24 S.C. Code Ann. Regs. 43-58 (2) and (14) (2011), provide that the State Board of Education has the legal authority, *inter alia*, to suspend a certificate for "wilful neglect of duty" and "failure to comply with the provisions of a contract without the written consent of the local school board." The State Board finds that the evidence presented demonstrates that Ms. Cartwright breached her contract and engaged in unprofessional conduct, willfully neglected her duty, and failed to comply with the provisions of her contract without the written consent of the District.

The evidence presented further supports the State Board's determination that just cause exists to suspend the educator certificate of Patricia A. Cartwright, certificate 219941, for a period of one year, commencing on November 8, 2016, and ending on November 7, 2017. If Ms. Cartwright wishes to have her educator certificate reinstated at the end of the suspension period, she shall make a written request to the SCDE's Office of Educator Services, and shall meet all certification requirements in effect at the time she requests reinstatement. Ms.

Cartwright shall also pay the applicable reinstatement fee. The suspension of Patricia A. Cartwright's educator certificate 219941 shall be reported to the NASDTEC Clearinghouse and all South Carolina school districts within thirty days from the date of this order.

**AND IT IS SO ORDERED.**

South Carolina State Board of Education

By: 

Michael R. Brennan, Chair

Columbia, South Carolina  
November 8, 2016